

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Robertson, Anschutz & Schneid, P.L. 6409 Congress Ave., Suite 100 Boca Raton, FL 33487 Telephone Number 561-241-6901 Attorneys For Secured Creditor	CASE NO.: 17-22202-JNP CHAPTER 13
MIRIAM J. ROSENBLATT (MR 7505)	Objection to Confirmation of Debtor's Chapter 13 Plan
In Re: Ernest M. Howard, Debtor	

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR GSAA HOME EQUITY TRUST 2007-4 ASSET-BACKED CERTIFICATES SERIES 2007-4 ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 21), and states as follows:

1. Debtor, Ernest M. Howard, ("Debtor"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on June 14, 2017.
2. Secured Creditor holds a security interest in the Debtor's real property located at 308- 310 D ST, MILLVILLE, NJ 08332, by virtue of a Mortgage recorded on January 08, 2007 at Instrument number 26591 of the Public Records of Atlantic County, NJ. Said Mortgage secures a Note in the amount of \$97,250.00.
3. The Debtor filed a Chapter 13 Plan on July 10, 2017.
4. The Plan fails to include treatment of Secured Creditor's claim. The subject property and claim are, however, listed in Debtor's schedules. Secured Creditor objects to the Plan and seeks clarification as to Debtor's intentions in regard to the subject property and claim.

5. Debtor's Plan fails to state the total arrearage amount owed. It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due Secured Creditor is \$19,875.81. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$19,875.81 as the pre-petition arrearage over the life of the plan.
6. Debtor's Plan fails to include regular monthly mortgage payments due to Secured Creditor. Pursuant to the loan documents, the regular monthly mortgage payment due is \$983.59. Further, the monthly payment may be subject to periodic adjustments for escrow and/or variable interest rates, thus requiring amendment during the pendency of the Plan. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. § 1325(a)(5) and cannot be confirmed. Secured Creditor objects to the Plan and to any plan which does not appropriately provide for the correct regular monthly mortgage payment.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

Robertson, Anschutz & Schneid, P.L.
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By: /s/ Miriam J. Rosenblatt
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CERTIFICATION OF SERVICE

1. I, MIRIAM ROSENBLATT, represent DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR GSAA HOME EQUITY TRUST 2007-4 ASSET-BACKED CERTIFICATES SERIES 2007-4 in this matter.
2. On October 31, 2017, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below: Objection to Confirmation of Debtor's Chapter 13 Plan.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

October 31, 2017

Robertson, Anschutz & Schneid, P.L.
Attorney for Secured Creditor
6409 Congress Ave., Suite 100
Boca Raton, FL 33487
Telephone Number 561-241-6901

By: /s/ Miriam J. Rosenblatt _____
MIRIAM J. ROSENBLATT, Esquire
NJ Bar Number: MR 7505
Email: mrosenblatt@rasflaw.com

<u>Name and Address of Party Served</u>	<u>Relationship of Party to the Case</u>	<u>Mode of Service</u>
Steven A. Silnutzer 335 E. Jimmie Leeds Road Building 200, Suite C Galloway, NJ 08205	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other
		(as authorized by the court*)
Isabel C. Balboa Cherry Tree Corporate Center 535 Route 38 - Suite 580 Cherry Hill, NJ 08002	Chapter 13 Standing Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other
		(as authorized by the court*)
U.S. Trustee Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other
		(as authorized by the court*)
Ernest M. Howard 21 Morning Glory Ct Egg Harbor Township, NJ 08234-5972	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other
		(as authorized by the court*)